

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE REFCO INC. SECURITIES LITIGATION : 07-MD-1902 (JSR)

This document relates to:

KENNETH M. KRYS, *ET AL.* :

Plaintiffs,
-against-

CHRISTOPHER SUGRUE, *ET AL.* :

Defendants.

ECF CASE

08-CV-3065 (JSR)
08-CV-3086 (JSR)

KENNETH M. KRYS, *ET AL.* :

Plaintiffs,
-against-

08-CV-7416 (JSR)

ROBERT AARON, *ET AL.* :

Defendants.

KENNETH M. KRYS, *ET AL.* :

Plaintiffs,
-against-

10-CV-3594 (JSR)

DEUTSCHE BANK SECURITIES INC., *ET AL.* :

Defendants.

SPECIAL MASTERS' ORDER

WHEREAS, the parties have presented a joint status report in the above-captioned actions in accordance with the Court's Order dated October 2, 2012; and

WHEREAS, the parties have conferred among themselves and have proposed a schedule to govern the next phase of these actions; which proposal has modified by the Special Masters;

SPECIAL MASTERS DANIEL R. CAPRA and RONALD J. HEDGES, for good cause shown, order as follows:

1. In *Krys v. Sugrue*, No. 08-cv-3065 and *Krys v. Deutsche Bank Securities*, No. 10-cv-3594, any motions for summary judgment by any party shall be filed no later than December 17, 2012, with page limits of 65 pages for the brief in support of the common-issues motion by defendants PricewaterhouseCoopers LLP; Credit Suisse Securities (USA) LLC; Merrill Lynch, Pierce, Fenner & Smith, Incorporated (as successor-by-merger to Banc of America Securities LLC); Grant Thornton LLP; Mark Ramler; Mayer Brown LLP; Joseph Collins; Edward S. Best; Paul Koury; and Deutsche Bank Securities Inc. (collectively, the "Institutional Defendants") and 25 pages for any other brief in support of any other motion for summary judgment;

2. In *Krys v. Sugrue*, No. 08-cv-3065 and *Krys v. Deutsche Bank Securities*, No. 10-cv-3594, any oppositions to motions for summary judgment shall be filed no later than January 21, 2013, with page limits of 65 pages for the opposition to the Institutional Defendants' common-issues motion and 25 pages for any opposition to any other motion;

3. In *Krys v. Sugrue*, No. 08-cv-3065 and *Krys v. Deutsche Bank Securities*, No. 10-cv-3594, any reply briefs supporting the motions for summary judgment shall be filed no later than January 31, 2013, with page limits of 25 pages for the reply brief supporting the

Institutional Defendants' common-issues motion and 15 pages for any reply brief supporting any other motion;

4. In *Krys v. Aaron*, No. 08-cv-7416, any motions for summary judgment by any party shall be filed no later than December 17, 2012, with page limits of 65 pages for the brief in support of the motion; any oppositions to motions for summary judgment shall be filed no later than January 21, 2013, with page limits of 65 pages for the opposition; and any reply briefs supporting the motions for summary judgment shall be filed no later than January 31, 2013, with page limits of 25 pages for the reply brief.

5. Oral argument on any motion described above shall be heard in the first instance by Special Master Capra, who will conduct oral argument no later than February 20, 2013.

6. Within two business days of the issuance of any Report and Recommendation by Special Master Capra, any party intending to object in whole or in part to the Report & Recommendation shall, with opposing counsel, contact Judge Rakoff's Chambers for a schedule to brief the objection. In that same call, the claims in the above-captioned actions (other than *Krys v. Aaron, et al*, No. 08-cv-7416) shall be set for trial at a date convenient to the Court after June 1, 2013.

7. Deadlines for motions *in limine* and pre-trial exchanges shall be negotiated by the parties in a manner consistent with the Court's Individual Practices.

8. Special Master Hedges shall conduct a telephonic conference call with regard to the status of all actions on March 12, 2013, at 3 PM Eastern time.

SO ORDERED this 14 day of November, 2012.



Honorable Ronald J. Hedges
Special Master



Daniel J. Capra

Special Master